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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Original

BEFORE THE FEDERAL ELECTION COMMISSION

2004 JAN 27 P 12: 28

GERALD L. JAECKS

Complainant,

v.

**DANIEL W. HYNES, HYNES FOR SENATE,
APEX HEALTHCARE, JAMES CHAO,
CHARISSA CHAO, GRACE CHAO, PHILIP CHAO,
DAWN BURDELIK, KIN S. CHEUNG,
SHARON LINARES, LAWRENCE YIP, AMY YUEN,
MONICA FLETCHER, and DOUGLAS FLETCHER**

Respondents.

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2004 JAN 27 P 12: 56

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**VERIFIED COMPLAINT FOR VIOLATIONS OF
FEDERAL ELECTION CAMPAIGN ACT**

Now comes the Complainant Gerald L. Jaecks and he complains against the Respondents as follows:

Identity of the Parties

1. That Complainant is a citizen of the United States and the State of Illinois. Additionally, he is a registered voter residing at 2551 West Pensacola Avenue, Chicago, Illinois 60618, telephone number :
2. That Complainant is desirous of seeing that the rules, regulations and laws respecting the financing of political campaigns are properly complied with. Specifically,
 - a. Complainant is concerned with the potential for governmental corruption which has, in the past, occurred when political campaign contributions were unlimited in amount, unlimited as to source, and were not required to be promptly, fully and accurately disclosed to the public.

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b. Complainant is particularly concerned that rules, regulations and laws respecting the financing of political campaigns can be violated and those violations concealed without enforcement of the prohibition against contributions directed or received through a conduit - by one person in the name of another. Particularly, Complainant seeks enforcement of the law that requires "(N)o person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution, and no person shall knowingly accept a contribution made by one person in the name of another person." 2 U.S.C. §441f.

3. Daniel W. Hynes ("Hynes") of 2020 West Bradley Place, Chicago, Illinois, is a candidate for the Democratic Party nomination for the office of United States Senator from the State of Illinois. Hynes currently serves the citizens of the State of Illinois in the capacity of State Comptroller. Absent his resignation because of election to the United States Senate, his term of office will extend to January of 2007. One of his powers and duties in his current office is the disbursement of payments to vendors for services provided to the State of Illinois and he therefore has control of the amount and promptness of such disbursements. While Hynes may not be a formal officer of the Committee, he is its principal beneficiary and he exercises principal control of the Committee.
4. Hynes For Senate ("the Committee") of 1520 North Wells Street, Chicago, Illinois, is a political action committee the purpose of which is the promotion of the election of Hynes to the federal office he currently seeks. The Committee is registered with this Commission as committee # C00385252.
5. Apex HealthCare Inc. ("Apex") of 1751 Naperville Road Wheaton, Illinois, is a business corporation providing services to the healthcare industry. Among its services, Apex seeks to expedite payments to providers for medical services performed for or to be paid by the State of Illinois.
6. James Chao of 2224 Riverwoods Drive, Naperville, Illinois is the principal officer of Apex and exercises complete control of its corporate funds.
7. Grace T. Chao of 2301 Keim Road, Naperville, Illinois is a homemaker and Complainant is informed and believes that she is related to James Chao. Based upon an investigation of her apparent personal assets and her lifestyle, Complainant is informed and does believe that she

lacks the personal funds which would enable her to make political campaign contributions in the amounts reported.

8. Charissa Chao of 739 Sigmund Road, Naperville, Illinois is allegedly employed by Lucent Technology and Complainant is informed and believes that she is related to James Chao. Based upon an investigation of her apparent personal assets and her lifestyle, Complainant is informed and does believe that she lacks the personal funds which would enable her to make political campaign contributions in the amounts reported.
9. Philip Chao of 739 Sigmund Road, Naperville, Illinois, is allegedly self-employed and Complainant is informed and believes that he is related to James Chao. Based upon an investigation of his apparent personal assets and his lifestyle, Complainant is informed and does believe that he lacks the personal funds which would enable him to make political campaign contributions in the amounts reported.
10. Dawn Burdelik of 11213 South Natchez in Worth, Illinois is a clerical employee of Apex. Based upon an investigation of her apparent personal assets and her lifestyle, Complainant is informed and does believe that she is the wife of Jeffrey Burdelik, another clerical employee of Apex and that she lacks the personal funds which would enable her to make political campaign contributions in the amounts reported.
11. Kin S. Cheung of 2901 South Union Avenue in Chicago, Illinois is a clerical employee of Apex. Based upon an investigation of his apparent personal assets and his lifestyle, Complainant is informed and does believe that he lacks the personal funds which would enable him to make political campaign contributions in the amounts reported.
12. Sharon Linares of 10937 Oak Avenue in Chicago Ridge, Illinois is a clerical employee of Apex. Based upon an investigation of her apparent personal assets and her lifestyle, Complainant is informed and does believe that she lacks the personal funds which would enable her to make political campaign contributions in the amounts reported.
13. Lawrence Yip of 8428 Arrowhead Drive in Burr Ridge, Illinois is a executive employee of Apex.

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14. Amy Yeun of 8428 Arrowhead Drive in Burr Ridge, Illinois is a homemaker and Complainant is informed and believes that she is related to Lawrence Yip. Based upon an investigation of her apparent personal assets and her lifestyle, Complainant is informed and does believe that she lacks the personal funds which would enable her to make political campaign contributions in the amounts reported.
15. Monica Fletcher of 10947 South Massasoit Avenue in Chicago Ridge, Illinois is a homemaker. Based upon an investigation of her apparent personal assets and her lifestyle, Complainant is informed and does believe that she lacks the personal funds which would enable her to make political campaign contributions in the amounts reported.
16. Douglas Fletcher of 10947 South Massasoit Avenue in Chicago Ridge, Illinois has an unknown occupation and may be retired. Based upon an investigation of his apparent personal assets and his lifestyle, Complainant is informed and does believe that he lacks the personal funds which would enable him to make political campaign contributions in the amounts reported.

Alleged Violations

17. That the Complainant bases his allegations below on campaign finance reports published by this Commission, said reports being allegedly submitted by the Committee, Hynes for Senate. Further, based upon the pattern and practices established by some of these same individuals, by Apex and by its predecessor corporations in making contributions to Friends of Dan Hynes, an Illinois State Committee (on file with and published by the Illinois State Board of Elections), Complainant is informed and does believe that these contributions were not the personal contributions of the stated donors but, instead, these donors knowingly made prohibited contributions of Apex corporate funds and knowingly illegally routed these contributions through themselves as conduits – made in the name of another person in violation of the Federal Election Campaign Act. 2 USC §441b and f.
18. The following persons, on or about the following dates, made illegal campaign contributions in the amounts shown to the Committee, Hynes for Senate.

James Chao	\$4,000.00	3/3/2003
James Chao	6,000.00	6/30/2003
James Chao	2,000.00	9/29/2003

Charissa Chao	4,000.00	9/29/2003
Grace Chao	6,000.00	6/30/2003
Philip Chao	4,000.00	9/29/2003
Dawn Burdelik	4,000.00	3/5/2003
Dawn Burdelik	2,000.00	9/29/2003
Kin S. Cheung	4,000.00	3/5/2003
Kin S. Cheung	4,000.00	9/29/2003
Sharon Linares	4,000.00	3/5/2003
Sharon Linares	2,000.00	9/29/2003
Lawrence Yip	4,000.00	3/5/2003
Amy Yuen	4,000.00	9/29/2003
Monica Fletcher	2,000.00	9/29/2003
Douglas Fletcher	4,000.00	6/30/2003

19. That, as principal and as the source of the funds, Apex is legally responsible and culpable for each of the illegal acts alleged in ¶18 above.
20. That, as principal and as the person in control of the source of the funds, James Chao is legally responsible and culpable for each of the illegal acts alleged in ¶18 above.
21. That, as principal of the Committee, Daniel W. Hynes is legally responsible and culpable for accepting and receiving each of the illegal contributions alleged in ¶18 above.
22. That the Committee, Hynes for Senate, is legally responsible and culpable for accepting and receiving each of the illegal contributions alleged in ¶18 above.

Prayer for Relief

WHEREFORE, the Complainant herein prays that this Commission investigate each of the above allegations, issue as determination as to each that each named individual and entity above is in violation of the Campaign Finance Act as charged, and assess such fines and other penalties as this Commission shall determine.

Respectfully submitted,


Gerald L. Jaecks

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Chicago, Illinois 60618
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Email: Gjaecks@aol.com

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

Verification Under Oath

Now comes Gerald L. Jaecks and, after first being duly sworn, deposes and says that he is the Complainant herein, that he has read the foregoing Complaint and he swears that he knows the facts alleged are true from his review of campaign finance reports published by the Federal Election Commission and the Illinois State Board of Elections. As to those facts alleged upon information and belief, Complainant states that he has made reasonable inquiry into those facts, has performed research, has read the research of others and that he verily believes that every fact alleged to be true.

Sworn to and subscribed before me by Gerald L. Jaecks
this 26th day of January, 2004.

Gerald L. Jaecks
NOTARY PUBLIC
SEAL.

